

**CITY OF NEWPORT BEACH  
PLANNING COMMISSION AGENDA  
CITY COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD  
THURSDAY, JANUARY 17, 2013  
REGULAR MEETING – 6:30 p.m.**

**MICHAEL TOERGE**  
Chair

**BRADLEY HILLGREN**  
Vice Chair

**FRED AMERI**  
Secretary

**TIM BROWN  
KORY KRAMER  
JAY MYERS  
LARRY TUCKER**

**Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:**

**KIMBERLY BRANDT, Community Development Director**

**BRENDA WISNESKI, Deputy Community  
Development Director**

**LEONIE MULVIHILL, Assistant City Attorney    TONY BRINE, City Traffic Engineer**

**NOTICE TO THE PUBLIC**

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. The agendas, minutes, and staff reports are available on the City's web site at: <http://www.newportbeachca.gov> and for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person. All testimony given before the Planning Commission is recorded.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant of this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [lbrown@newportbeachca.gov](mailto:lbrown@newportbeachca.gov)).

**APPEAL PERIOD:** Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

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**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. PUBLIC COMMENTS**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.*

**V. REQUEST FOR CONTINUANCES**

**VI. CONSENT ITEMS**

**ITEM NO. 1      MINUTES OF JANUARY 3, 2013**

**Recommended Action:** Approve and file

**VII. PUBLIC HEARING ITEMS**

*Speakers must limit comments to three (3) minutes on all items. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.*

*If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.*

**ITEM NO. 2      Zoning Code Amendment Single Room Occupancy Residential Hotels and Parking for  
Emergency Shelters (PA2012-179)  
Site Location: Citywide**

**Summary:**

Pursuant to Housing Element Program HP 5.1.7, a Zoning Code Amendment is proposed to include a definition of Single Room Occupancy (SRO) Residential Hotels and to add provisions that would allow SROs within the commercial and office zoning districts, subject to the approval of a conditional use permit. Additionally, the amendment includes a parking requirement for emergency shelters.

**CEQA Compliance:**

All significant environmental concerns for the proposed project have been addressed in a previously certified environmental document (Negative Declaration for the Housing Element Update adopted by City Council on November 22, 2011), and that the City of Newport Beach intends to use said document for the above noted project, and further that there are no mitigation measures that should be considered in conjunction with said project.

**Recommended Action:**

1. Conduct public hearing; and
2. Adopt Resolution No. \_\_\_\_ recommending City Council approval of Code Amendment No. CA2012-009.

**ITEM NO. 3 Residential Lot Merger Code Amendment (PA2012-102)**

**Site Location:** R-1, R-BI, and R-2 Zoning Districts of Balboa Island, Balboa Peninsula, Corona del Mar, Lido Isle, and West Newport

**Summary:**

An amendment to the Zoning Code (Title 20) and the Subdivision Code (Title 19) to modify residential development standards so that the merger/reconfiguration of two or more lots would not result in an increase in the maximum amount of floor area that could have otherwise been developed prior to the merger/reconfiguration. The proposed amendment would apply only where a parcel map, lot line adjustment, or lot merger results in an increase in lot width greater than 50 percent.

**CEQA Compliance:**

This item is categorically exempt under Section 15305, of the California Environmental Quality Act (CEQA) Guidelines – Class 5 (Minor Alterations in Land Use Limitations)

**Recommended Action:**

1. Conduct public hearing; and
2. Adopt Resolution No. \_\_\_\_ recommending City Council approval of Code Amendment No. CA2012-107.

**ITEM NO. 4 Existing City Hall Complex Reuse Amendments (PA2012-031)**

**Site Location:** 3300 Newport Boulevard and 475 32<sup>nd</sup> Street

**Summary:**

A proposal to amend the General Plan, the Coastal Land Use Plan, and the Zoning Code to change the land use and zoning designation from “Public Facilities” (PF) to allow mixed use development. The Zone Code amendment would also include use and development standards for future development including substantial public open space. The amendments collectively would create land use and zoning designations to facilitate a future mixed-use project that could include up to 99 apartments and up to 15,000 square feet of retail commercial area or up to 99,675 square feet of hotel uses. The amendments would also allow a combination of residential or hotel uses, and other municipal uses including a fire station. The proposed amendments do not include a specific development project at this time and future development would undergo subsequent public review.

**CEQA Compliance:**

A Negative Declaration has been prepared by the City of Newport Beach which states that, the subject development will not result in a significant effect on the environment. It is the present intention of the City to accept the Negative Declaration and supporting documents.

**Recommended Action:**

1. Conduct public hearing;
2. Adopt Resolution No. \_\_\_\_ recommending City Council adoption of the City Hall Reuse Project Initial Study/Mitigated Negative Declaration (SCH# 2012111074) including a Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act; and

3. Adopt Resolution No. \_\_\_\_ recommending City Council approval of General Plan Amendment No. GP2012-002, Coastal Land Use Plan Amendment No. LC2012-001, and Zoning Code Amendment No. CA2012-003.

**VIII. STAFF AND COMMISSIONER ITEMS**

**ITEM NO. 5      MOTION FOR RECONSIDERATION**

**ITEM NO. 6      COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

**ITEM NO. 7      ANNOUNCEMENTS ON MATTERS THAT THE PLANNING COMMISSION MEMBERS  
WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR  
REPORT.**

**ITEM NO. 8      REQUESTS FOR EXCUSED ABSENCES**

**IX. ADJOURNMENT**